IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7477 of 2005

Between:

Master S.K. Gulshan, S/o. S.K. Jilani, Student, aged 12 years.
R/o. Door No. 15-26/7, Necklace Road, Nellore, Rep. by his Father Sri S.K. Jilani.

... PETITIONER

AND

1 The District Educational Officer, Nellore, Nellore District.
2 State of Andhra Pradesh, Rep. by its Principal Secretary,
Education Department, A.P., Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ, Order, direction, more particularly one in the nature of Writ of Mandamus or any other appropriate Writ or order or direction to the Respondent to withdraw the order dated 25-2-2005, keeping the Petitioner/student's future in view, in the interest of justice.

Counsel for the Petitioner: MR.V.SARAVANA KUMAR

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court at the stage of admission made the following:

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.7477 OF 2005

ORDER :

This writ petition is filed by Master SK.Gulshan, a VII-Class student, being a minor represented by his father and natural guardian Sri SK.Jilani aggrieved by the order of the District Common Examinations Board , Nellore. Under the said order, the Secretary of the District Common Examinations Board informed all the Educational Institutions that as per the Government Orders, the VI & VII standard students for the academic year 2004-05 should compulsorily study Telugu as the 2nd Language. It is also stated that a copy of the Telugu Text Book for the VI & VII standards as well as the Model Test Paper for the VII standard were enclosed and that the VI & VII standard students should be trained in Telugu and they should be prepared to appear for the Examinations scheduled to be held in April, 2005.

It is stated that the petitioner is studying VII Standard in Urdu Medium with Urdu as 1st language, Hindi as 2nd language and English as 3rd language. It is alleged the impugned order was issued only on 25-02-2005 and then the petitioner was

compelled to study Telugu as 2nd Language. It is contended that the decision taken by the respondents at the fag end of the academic year is arbitrary and illegal and the same would adversely affect the career of the petitioner. Hence, this writ petition.

The learned Government Pleader for School Education, under instructions, states that the plea of the petitioner that the decision was communicated to the schools for the first time on 25-02-2005 is incorrect. It is stated that the Government has taken as a policy decision as long back as in the year 2003 to have Telugu as the 2nd language by all the students of VI & VII standards and G.O.Ms.No.86, dated 2-7-2003 was issued to that effect and the same is being implemented from 2003 onwards. The learned Government Pleader submits that the communication from the District Common Examinations Board, Nellore filed by the petitioner along with writ petitioner is only a reminder to all the schools for proper implementation of the Government Order.

In view of what has been stated by the learned Government Pleader and in the absence of any material to substantiate the plea of the petitioner that the decision of the Government was communicated to the concerned schools only in February, 2005, I do not find any substance in the contentions of the petitioner.

The Writ Petition is devoid of any merit and the same is accordingly dismissed. No costs.

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13th April, 2005.

Note:- CC in two days.

(B/O)

Lsk

ASSISTANT REGISTRAR

To

1 The District Educational Officer, Nellore, Nellore District.
2 The Principal Secretary,
Education Department, A.P., Secretariat, Govt of A.P. Hyderabad.

3 Two C.Cs. to the G.P. for School Education, High Court buildings, Hyderabad. (OUT)

4 Two C.D. copies.